

December 4, 2008

Charles L.A. Terreni
 Chief Clerk & Administrator
 PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
 P.O. Drawer 11649
 Columbia, SC 29211

RE: Docket No. 2008-400-E; *Progress Energy Carolinas, Inc. v. Pilgrim's Pride Corporation*; pending before the Public Service Commission of South Carolina

Dear Mr. Terreni:

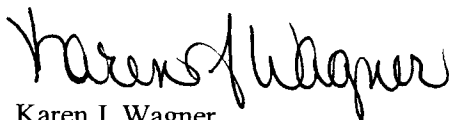
Enclosed please find the *Notice of Suggestion of Bankruptcy* regarding the above-referenced matter. Please file the Notice with the Commission's papers on this matter.

By copy of this letter, a copy of the foregoing document is being served on Plaintiffs' counsel via regular mail.

If you have any questions, please do not hesitate to contact us.

Very truly yours,

Baker & McKenzie LLP



Karen J. Wagner
 Legal Assistant to Mark D. Taylor

/kjh

cc: Len S. Anthony (w/encl.)

RECEIVED
 2008 DEC -5 AM 10:09
 SC PUBLIC SERVICE
 COMMISSION

Asia
Pacific
 Bangkok
 Beijing
 Hanoi
 Ho Chi Minh City
 USA
 Jakarta
 Kuala Lumpur
 Manila
 Melbourne
 Shanghai
 Singapore
 Sydney
 Taipei
 Tokyo

Europe & Middle East
 Almaty
 Amsterdam
 Antwerp
 Bahrain
 Baku
 Barcelona
 Berlin
 Bologna
 Brussels
 Budapest
 Cairo
 Dusseldorf
 Frankfurt / Main
 Geneva
 Kyiv
 London
 Madrid
 Milan
 Moscow
 Munich
 Paris
 Prague
 Riyadh
 Rome
 St. Petersburg
 Stockholm
 Vienna
 Warsaw
 Zurich

North & South America
 Bogota
 Brasilia
 Buenos Aires
 Caracas
 Chicago
 Chihuahua
 Dallas
 Guadalajara
 Houston
 Juarez
 Mexico City
 Miami
 Monterrey
 New York
 Palo Alto
 Porto Alegre
 Rio de Janeiro
 San Diego
 San Francisco
 Santiago
 Sao Paulo
 Tijuana
 Toronto
 Valencia
 Washington, DC

STATE OF SOUTH CAROLINA
BEFORE THE PUBLIC SERVICE COMMISSION

DOCKET NO. 2008-400-E

RECEIVED

2008 DEC -3 AM 10:10

SC PUBLIC SERVICE
COMMISSION

In the Matter of:

Progress Energy Carolinas, Inc.

v.

Pilgrim's Pride Corp.

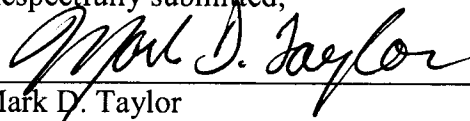
**NOTICE OF SUGGESTION OF
BANKRUPTCY**

PLEASE TAKE NOTICE that on December 1, 2008, Pilgrim's Pride Corporation, the Defendant/Respondent in the above-captioned action, and its debtor affiliates (the "Debtors") filed voluntary petitions under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court, Northern District of Texas, Fort Worth Division (the "Bankruptcy Court"). The Debtors have sought joint administration of their bankruptcy cases under Case No. 08-45664 (DML).

PLEASE TAKE FURTHER NOTICE that pursuant to section 362(a) of the Bankruptcy Code, the filing of the bankruptcy petition operates as an automatic stay of "the commencement or continuation, including issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title."

PLEASE TAKE FURTHER NOTICE that the Debtors reserve their right to bring an action in the Bankruptcy Court for any violation of the automatic stay under section 362(a) of the Bankruptcy Code.

Respectfully submitted,



Mark D. Taylor

Texas Bar No. 19713250

BAKER & McKENZIE LLP

2300 Trammell Crow Center

2001 Ross Avenue

Dallas, Texas 75201

Telephone: 214/978-3000

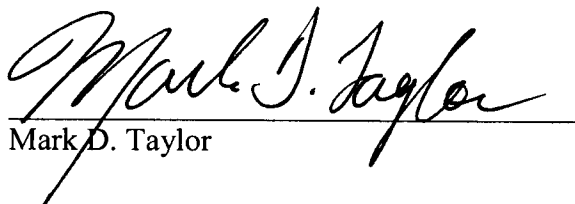
Facsimile: 214/978-3099

ATTORNEY FOR RESPONDENT
PILGRIM'S PRIDE CORPORATION

CERTIFICATE OF SERVICE

The undersigned certifies that he served a true and correct copy of *Notice of Suggestion of Bankruptcy* to the following counsel of record via regular mail on the 4th day of December, 2008, addressed as follows:

Len S. Anthony
General Counsel - Progress Energy Carolinas
PROGRESS ENERGY SERVICE COMPANY, LLC
P.O. Box 1551
Raleigh, NC 27602



Mark D. Taylor